

REMARKS

Claims 3-5 and 7-14 are all the claims pending in the application. Claim 12 is withdrawn from consideration.

I. Response to Claim Rejections under 35 U.S.C. § 103

Claims 3-5, 7-11, 13 and 14 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Arioka (US 2002/0037366) in view of Shiau et al (US 5,985,363).

Regarding the recitation of a rotation speed of 400-1000 rpm from the beginning of the supply of the dye solution to the end of the supply of the dye solution, the Examiner takes the position that the spin speeds in the disclosure of Shiau et al are merely exemplary and are not limiting. It is the Examiner's position that it would have been within the skill of an ordinary artisan to have determined the optimum spin speeds used in performing the process of Arioka in view of Shiau et al (including the speed during the supply) through routine experimentation in the absence of a showing of criticality. See Pages 2-3 and 6 of the Action.

In response, Applicants submit herewith a Declaration under 37 C.F.R. §1.132 showing that the present invention provides unexpectedly superior results when compared to the prior art. Specifically, the Declaration shows that comparative examples, in which the rotation speed is above or below the recited rotation speed range of 400-1000 rpm from the beginning of the supply of the dye solution to the end of the supply of the dye solution, are inferior in properties such as noise level, uniformity of the dye layer, degree in modulation and jitter. Thus, the present invention is patentable over the art of record.

Accordingly, Applicants respectfully request withdrawal of the §103.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

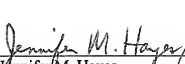
Respectfully submitted,

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